CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)

City Hall
2729 Prospect Park Drive, Rancho Cordova

Monday, October 5, 2009

5:30 P.M. – Regular Meeting
David B. Roberts Council Chambers

MINUTES

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Mayor Skoglund called the regular meeting to order in the Council Chambers at 5:44 p.m.

Council Members Present:	Budge, McGarvey, Cooley, and Mayor Skoglund
Council Members Absent:	Sander (arrived at 6:34 p.m.)
Staff Present:	Gaebler, Lindgren, Chinn, Cuppy, Lehr, Oliver, Silva, Blair, Abhar, Junker, Pearl, Flory, Samuelson, Snipes, Garcia, Bontrager, Snyder, Chavez, Beiswenger, Hatch, Trimberger, and Richeal

2. METRO CABLE TV TELEVISION ANNOUNCEMENT

The City Clerk announced the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor called on Matt Cummings to lead the Pledge.

4. INVOCATION

Katie Nielsen, First Covenant Church gave the invocation.

5. PRESENTATIONS

5.1 Council Member Budge, Public Works Director Cyrus Abhar, and Streets Operations and Maintenance Manager John Samuelson gave a presentation of Certificates of Appreciation to Neighborhood Traffic Safety Committee (NTSC) Members Russell Blair, Mickey Boughton, Matt Cummings, Dennis Dunn, and Gerry Lane.

AT THIS POINT: Mayor Skoglund delayed Agenda Item 5.2 to come later on the agenda.

6. PUBLIC COMMENT

The following individuals addressed the Council:

- Sam Donovan on Assembly Member Huber's Mobile District Office and first Woman's Health Fair.

7. COUNCIL REPORTS

Council reported on events since the last meeting.

8. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

ACTION: Motion by Budge second by McGarvey and carried by a 4:0 roll call vote (Sander absent) Council approved Consent Calendar with exception to Agenda Item 8.3 which was pulled for further discussion.

8.1 **Subject:** Adoption of Minutes:
a) Special and Regular Meeting of September 21, 2009
b) Special Meeting of September 29, 2009
Recommendation: Adopt Minutes.

8.2 **Subject:** Ordinance Amending City of Rancho Cordova Special Police Tax
Recommendation: Waive second reading and adopt Ordinance No. 15-2009. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance will result in a decrease in non-residential tax rates from 25 cents for each square foot of gross parcel area in zones, 2A, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38. Other minor clarifications are also included.
Staff Report: Donna Silva, Finance Department and Adam U. Lindgren, City Attorney's Office

8.4 **Subject:** Resolution Creating Special Tax Area Zone 16 and Ordinance Establishing a Special Tax for Transit-Related Services for the 11301 Dismantle Court Project
Recommendation: That Council:
a) Adopt Resolution No. 90-2009; and
b) Waive first reading and introduce Ordinance No. 19-2009.
Result of Recommended Action: Adoption of this resolution and ordinance will assist the City to meet the costs of providing transit-related services by creating a special tax area zone and establishing a special tax for transit-related services for the 11301 Dismantle Court Project.
Staff Report: Cyrus Abhar, Public Works Department

8.5 **Subject:** Resolution of the City Council Adopting an Neighborhood Stabilization Program (NSP) Income Reuse Plan
Recommendation: Adopt Resolution No. 96-2009.
Result of Recommended Action: Adoption of this resolution will approve the NSP Income Reuse Plan and make the City eligible to enter into an agreement with the State for disbursing NSP funds.
Staff Report: Reed Flory, Economic Development Department, Housing Administration Division
GROWING STRONG NEIGHBORHOODS

8.6 **Subject:** Resolutions Approving Agreement Between the City of Rancho Cordova and the County of Sacramento Regarding Revenue Sharing Upon Annexation of Sunrise-Folsom Area to City of Rancho Cordova and Tax Exchange Agreement Between the County of Sacramento and the City of Rancho Cordova, Relating to the Rancho Cordova Sphere of Influence
Recommendation: That Council:
a) Adopt Resolution No. 92-2009 Approving an Agreement with the County of Sacramento Regarding Revenue Sharing; and
b) Adopt Resolution No. 93-2009 Approving Tax Exchange Agreement with the County of Sacramento for the Rancho Cordova Sphere of Influence
Result of Recommended Action: Approval of the two agreements will complete the property tax negotiation process required by law as a result of the City's application to the Sacramento Local Agency Formation Commission (LAFCO) to annex its sphere of influence, resolve the lawsuit the City filed against the County regarding the property tax negotiations, and allow the LAFCO Executive Director to set the annexation application for hearing before LAFCO.
Staff Report: Joe Chinn, City Manager's Office and Adam U. Lindgren, City Attorney's Office

The following item was pulled for further discussion:

8.3 **Subject:** Resolution Creating Special Tax Area Zone 8 and Ordinance Establishing a Special Tax for Transit-Related Services for the Fite Corporate Center Buildings
Recommendation: That Council:
c) Adopt Resolution No. 88-2009; and
d) Waive first reading and introduce Ordinance No. 18-2009.
Result of Recommended Action: Adoption of this resolution and ordinance will assist the City to meet the costs of providing transit-related services by creating a special tax area zone and establishing a special tax for transit-related services for the Fite Corporate Center Buildings.
Staff Report: Cyrus Abhar, Public Works Department

ACTION: Motion by Budge second by McGarvey and carried by a 4:0 vote (Sander absent) Council tabled Agenda Item 8.3.

9. CONSENT PUBLIC HEARING ITEMS

NONE

10. PUBLIC HEARING ITEMS

10.1 **Subject:** Resolution Approving the Adoption of a Substantial Amendment to the 2008-2009 Community Development Block Grant (CDBG) Action Plan
Recommendation: Adopt Resolution No. 97-2009.
Result of Recommended Action: Adoption of this resolution will authorize the City Manager to submit an amendment to the 2008-2009 CDBG Action Plan to the U.S. Department of Housing and Urban Development (HUD).
Staff Report: Reed Flory, Economic Development Department, Housing Administration Division
GROWING STRONG NEIGHBORHOODS

Mayor Skoglund opened the public comment period. There were no speakers. Mayor Skoglund closed the public comment period.

ACTION: Motion by Budge second by Cooley and carried by a 4:0 vote (Sander absent); Council adopted Resolution No. 97-2009.

AT THIS POINT: Council Member Sander joined the meeting at 6:34 p.m.

AT THIS POINT: Mayor Skoglund re-ordered the agenda to bring Agenda Item 5.2 next.

5. PRESENTATIONS CONTINUED

5.2 Presentation of Proclamation to Hometown Hero Zack Hatch and Report on Experience of Flying in a Thunderbird Jet Plane at the California Capital Airshow.

AT THIS POINT: Mayor Skoglund re-ordered the agenda to bring Agenda Item 11.1 next.

11. REGULAR CALENDAR ITEMS

11.1 **Subject:** Resolutions Authorizing the City Manager to Execute Construction Contract No. 117-2009 with DeSilva Gates Construction to Provide the Construction of the International Drive Extension Project in the Amount of $7,684,408; Execute Contract No. 114-2009 with Quincy Engineering, Inc. to Provide Construction Management in the Amount of $1,027,500; and Execute Fourth Contract Amendment No. 87-2009 with Wood Rodgers, Inc. to Provide Construction Engineering and Surveying Services in the Amount of $155,500 for the International Drive Extension Project

Recommendation: That Council:

a) Adopt Resolution No. 94-2009 Authorizing the City Manager to Execute Construction Contract No. 117-2009 with DeSilva Gates Construction: and
b) Adopt Resolution No. 95-2009 Authorizing the City Manager to Execute Contract No. 114-2009 with Quincy Engineering, Inc.; and
c) Adopt Resolution No. 82-2009 Authorizing the City Manager to Execute Fourth Contract Amendment No. 87-2009 with Wood Rodgers, Inc.

Result of Recommended Action: The work performed under the construction and professional services contracts includes the furnishing of all labor, materials, equipment, and all construction management services for construction of the extension of International Drive as a six-lane roadway from Kilgore Road to Sunrise Boulevard. Included in the project will be the widening of Sunrise Boulevard to allow a six-lane configuration, two new signalized intersections at the Monier Circle/Sunrise Boulevard/International Drive, and at Kilgore Road/International Drive. Construction of a new bridge over the Folsom South Canal along with the construction of raised concrete medians, retaining walls, bike paths and sound walls.

Staff Report: Cyrus Abhar, Public Works Department

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Mayor Skoglund opened the public comment period. There were no speakers. Mayor Skoglund closed the public comment period.

ACTION: Motion by Budge second by Cooley and carried by a 5:0 vote, Council adopted Resolution No. 82-2009, Resolution No. 94-2009, and Resolution No. 95-2009.

10. PUBLIC HEARING ITEM CONTINUED

AT THIS POINT Mayor Skoglund and Council Member Budge recused themselves and left the Council Chambers. Vice Mayor Cooley took over the agenda.

10.2 **Subject:** Resolution to Reconsider Planning Commission Decision Amending the Conditions of Approval Related to the "Fusion" Design Review Amendment (Project No. DD6590) Located Along Atherstone Drive in Capital Village

Recommendation: That Council:

a) Find that the Mitigated Negative Declaration (MND) previously prepared for the Capital Village project adequately addresses environmental impacts consistent with the California Environmental Quality Act (CEQA); and
b) Adopt Resolution No. 99-2009.

Result of Recommended Action: Adoption of this resolution will allow Council to review the Planning Commission decision approving the Capital Village Fusion Townhome Design Review Amendment. The applicant is proposing to modify the previously approved designs ultimately modifying the Conditions of Approval established by a prior Design Review entitlement to allow building permits to be obtained for construction of three townhome buildings on eighteen parcels (lots 360-365; lots 366-371; and lots 372-377) north of Village Green Park in Capital Village.

Staff Report: Jeffrey S. Beiswenger, Planning Department

Vice Mayor Cooley opened the public comment period. There following individuals addressed the Council:

- Michelle Kersten in opposition to the design changes
- Joel Ryan in opposition to the item
- Anastacia Shaver in opposition to the item
- Tiffani Efhan in opposition to the item

Vice Mayor Cooley closed the public comment period.

ACTION: Motion by McGarvey second by Sander and carried by a 3:0 vote (Skoglund and Budge Recused); Council continued Agenda Item 10.2 to October 19th.

AT THIS POINT: Mayor Skoglund and Council Member Budge returned to the Council Chambers. Vice Mayor Cooley gave the agenda back to Mayor Skoglund.

12. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

NONE

13. CITY MANAGER'S REPORT

City Manager Ted Gaebler reported on the following:

- First Thursday dinner
- Announced sixth year as City Manager

14. REQUEST FOR URGENCY ITEM

Subject: Appointment of Real Property Negotiators and Closed Session
Recommendation: City Attorney Adam Lindgren requested that the City Council make the finding that the need for immediate action came to the attention of the City after the posting of the agenda.

ACTION: Motion by Cooley second by Budge and carried by a 5:0 vote; Council made the finding that the need for immediate action came to the attention of the City after the posting of the agenda.

15. ADDED URGENCY ITEM (OPEN SESSION)

Appointment of Real Property Negotiators – appointment of Ted Gaebler, Joe Chinn, Cyrus Abhar, and Tom Trimberger as the City's real property negotiators and authorizing the City's real property negotiators to negotiate price and terms of payment with RFS Electronics with respect to real property located at 2880 Gold Tailings Court, Rancho Cordova, CA.

ACTION: Motion by Cooley second by Budge, Council determined to appoint Ted Gaebler, Joe Chinn, Cyrus Abhar, and Tom Trimberger as the City's real property negotiators and authorize them to negotiate price and terms of payment with RFS Electronics.

16. ADJOURNMENT

Mayor Skoglund adjourned the regular meeting to closed session in the Community Board Room at 9:08 p.m.

17. ADDED URGENCY ITEM (CLOSED SESSION ITEM)

Council will met in Closed Session to discuss the following item:

Conference with Legal Counsel – Anticipated Litigation Government Code 54956.9 (b) (one potential case)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8) - Property: 2880 Gold Tailings Court, Rancho Cordova, CA APN:
Agency negotiators: Ted Gaebler, Joe Chinn, Cyrus Abhar, and Tom Trimberger
Negotiating parties: RFS Electronics
Under negotiation: Price and terms of payment.

Mayor Skoglund called the closed session to order in the Community Board Room at 9:16 p.m.

Council Members Present: Budge, McGarvey, Sander, Cooley, and Mayor Skoglund

Staff Present: Lindgren, Gaebler, Chinn, Trimberger, and Silva

18. CLOSED SESSION REPORT

City Attorney Adam Lindgren reported that there was no reportable action.

19. ADJOURNMENT

Mayor Skoglund adjourned the closed session at 9:46 p.m.

Mindy Cuppy

Mindy Cuppy, City Clerk